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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/690,705	10/17/2000	Joseph R. Hedrick	0112300/136	3251

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EXAMINER

HANSEN, JAMES ORVILLE

ART UNIT	PAPER NUMBER
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3637

DATE MAILED: 10/10/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/690,705

Applicant(s)
HEDRICK et al.

Examiner
James O. Hansen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (e). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Apr 3, 2002
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above, claim(s) 14-22 and 33-37 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 23-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Oct 17, 2000 is/are a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4 6) ☐ Other:

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DETAILED ACTION

Election/Restriction

1. Claims 14-22 & 33-37 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made without traverse in Paper No. 9. ✓

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "components" [claim 26] must be shown or the feature(s) canceled from the claim(s). No new matter should be entered. ✓

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 25-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as

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the invention. In claims 25-26, the phrases "the components", "the component display" [claim 25]; and "said components" [claim 26] do not have a proper antecedent basis.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by McClernan [U.S.

Patent No. 1,079,507]. McClernan (figures 1-11) teaches of a device comprising: a component cabinet (bottom cabinet in fig. 1); a display cabinet (top cabinet in fig. 1) removably connected to the component cabinet; and side panels (37 & 40 - see figs. 1, 5 & 7) removably connected to opposite sides of the cabinets.

7. Claims 1 & 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Carroll [U.S.

Patent No. 4,874,210]. Carroll (figures 1-11) teaches of a device (fig. 3 for example) comprising: a component cabinet (bottom cabinet 10); a display cabinet (top cabinet 10) removably connected

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to the component cabinet via side panels (14) which are removably connected to opposite sides of the cabinets. The panels being removably connected to the cabinets by a removable connecting mechanism (25 & 26).

8. Claims 1, 12-13, 23, 25 & 27, 29-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Krause et al., [U.S. Patent No. 6,267,462]. Krause (figures 1-36) teaches of a device comprising: a component cabinet (3); a plurality of differently sized display cabinets (1 & 2) removably connected to the component cabinet; and side panels (48 for example) which are removably connected to opposite sides of the cabinets, a back panel (different 48) can be removably connected to the cabinets. The panels being removably connected to the cabinets by a removable connecting mechanism (13 for example). As to claim 25, components or articles may be stored within the display cabinets. The device including a locking mechanism (13) for removably connecting one of the display cabinets to the component cabinet. The device including a door (27 for example) pivotally connected to the component cabinet. The device including a cover (viewed generally as depicted in fig. 6) removably connected to the display cabinet, the cover includes a frame (framed border - fig. 6) and two masks (30 or 31) connected to the frame.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 24 & 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krause et al. Krause teaches applicant's inventive claimed concept as disclosed above, but does not state that the cabinets are formed from rolled steel or depict "components" such as a bill acceptor, coin acceptor etc. As to the type of material utilized, it would have been obvious to one having ordinary skill in the art at the time the invention was made to manufacture the cabinets out of rolled steel, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. As to the specific components as best understood by the examiner [see 112(2) rejection above], administrative notice is taken of the use of coin acceptors (for example) integrated within a cabinet structure. Ward [U.S. Patent No. 5,826,882] is cited as an evidence reference to show that the use of a bill changer (for example) integrated within a cabinet structure is old and well known.

11. Claims 2-11 & 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krause et al., in view of Drabczyk [U.S. Patent No. 5,335,605]. Krause teaches applicant's inventive claimed concept as disclosed above, but does not show each side panel as being a substrate with a decorative layer. However, Drabczyk (figures 1-5) teaches of a panel having a decorative laminate applied directly to a metal substrate. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the panels of Krause so as to employ a decorative layer as taught by Drabczyk because this arrangement would enhance the aesthetic

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appeal of the cabinets while affording flexibility in the decor of the space in which the device is situated. As to the type of substrate utilized, it would have been obvious to one having ordinary skill in the art at the time the invention was made to manufacture the panels out of an aluminum material, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. As to the type of laminate [sheet or sheets form], administrative notice is taken of the fact that a laminate may be applied to a substrate as a sheet or as a plurality of sheets. Fossier Jr., et al., [U.S. Patent No. 5,244,267] is cited as an evidence reference to show that the use of a sheet or sheets of laminate when applied to a substrate is old and well known. Additionally, administrative notice is taken of the fact that an adhesive may be used to bond a laminate to a substrate. Osen [U.S. Patent No. 6,053,585] is cited as an evidence reference to show that the use of adhesive to bond a laminate to a substrate is old and well known.


Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Graves et al., French publication 1216077, Stice, Pipkens, Wells et al., and Stefan describes modular cabinet structures. Josephs and Rose describe masks for cabinet fronts.

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Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist at (703) 308-2168. **Fax numbers for Official Papers are as follows:**
Before Final (703) 872-9326 & After Final (703) 872-9327.

Any inquiry concerning this communication from the examiner should be directed to James O. Hansen whose telephone number is (703) 305-7414. Unofficial Papers can be faxed to the examiner directly via (703) 746-3659. Examiner Hansen can normally be reached Monday to Friday from 9:00 A.M. to 5:00 P.M. Eastern Time Zone.


James O. Hansen
Primary Examiner
Technology Center 3600

JOH
September 26, 2002